



## EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

### Agency Information Collection Activities

**AGENCY:** Equal Employment Opportunity Commission.

**ACTION:** Notice of information collection – extension without change: Demographic Information on Applicants for Federal Employment.

**SUMMARY:** In accordance with the Paperwork Reduction Act, the Equal Employment Opportunity Commission (EEOC or Commission) announces that it intends to submit to the Office of Management and Budget (OMB) a request for a three-year extension of a Commission form (Demographic Information on Applicants OMB No. 3046-0046).

**DATES:** Written comments on this notice must be submitted on or before [INSERT DATE 30 DAYS AFTER PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** You may submit comments by any of the following methods—please use only one method:

*Federal eRulemaking Portal:* Go to <https://www.regulations.gov>. Follow the instructions for submitting comments.

*Fax:* (202) 663-4114. Only comments of six or fewer pages will be accepted via FAX transmittal to assure access to the equipment. Receipt of FAX transmittals will not be acknowledged, except that the sender may request confirmation of receipt by calling the Executive Secretariat staff at (202) 921-2815 (voice), 1-800-669-6820 (TTY), or 1-844-234-5122 (ASL video phone).

*Mail:* Comments may be submitted by mail to Raymond Windmiller, Executive Officer, Executive Secretariat, Equal Employment Opportunity Commission, 131 M Street NE, Washington, DC 20507.

*Hand Delivery/Courier:* Raymond Windmiller, Executive Officer, Executive Secretariat, Equal Employment Opportunity Commission, 131 M Street NE, Washington, DC 20507.

*Instructions:* All comments received will be posted without change to

<http://www.regulations.gov>, including any personal information provided. However, the Commission reserves the right to refrain from posting libelous or otherwise inappropriate comments, including those that contain obscene, indecent, or profane language; that contain threats or defamatory statements; that contain hate speech based upon race, color, sex, national origin, age, religion, disability, or genetic information; or that promote or endorse services or products.

*Docket:* Copies of comments received are also available for review at the Commission's library. Copies of comments received in response to this notice will be made available for viewing by appointment only at 131 M Street NE, Suite 4NW08R, Washington, DC 20507. Members of the public may schedule an appointment by sending an email to [OEDA@eeoc.gov](mailto:OEDA@eeoc.gov).

**FOR FURTHER INFORMATION CONTACT:** Wendy Doernberg, Federal Sector Programs, Office of Federal Operations, at (202) 921-2948 (voice) or [wendy.doernberg@eeoc.gov](mailto:wendy.doernberg@eeoc.gov). Requests for this notice in an alternative format should be made to the Office of Communications and Legislative Affairs at (202) 921-3191 (voice), (800) 669-6820 (TTY), or (844) 234-5122 (ASL Video Phone).

**SUPPLEMENTARY INFORMATION:** The EEOC's Demographic Information on Applicants (OMB No. 3046-0046) is intended for use by federal agencies in gathering data on the race, ethnicity, sex, and disability status of job applicants. This form is used by the EEOC and other agencies to gauge progress and trends over time with respect to equal employment opportunity goals.

On March 8, 2023, the Commission published a 60-Day Notice informing the public of its intent to request from OMB an extension without change of the information collection requirements associated with a Commission form (Demographic Information on Applicants OMB No. 3046-0046). 88 FR 14363 (March 8, 2023). Pursuant to the Paperwork Reduction Act of 1995, 44

U.S.C. chapter 35, and OMB regulation 5 CFR 1320.8(d)(1), the Commission solicited public comment to enable it to:

- (1) Evaluate whether the proposed data collection tool will have practical utility by enabling a federal agency to determine whether recruitment activities are effectively reaching all segments of the relevant labor pool in compliance with the laws enforced by the Commission and whether the agency's selection procedures allow all applicants to compete on a level playing field regardless of race, national origin, sex, or disability status;
- (2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- (3) Enhance the quality, utility, and clarity of the information to be collected; and
- (4) Minimize the burden of the collection of information on applicants for federal employees who choose to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

The Commission received three comments unrelated to these topics.

## Overview of This Information Collection

Collection Title: Demographic Information on Applicants

OMB Control No.: 3046-0046

Description of Affected Public: Individuals submitting applications for federal employment<sup>1</sup>

Number of Annual Responses: 9,092

Estimated Time Per Response: 3 minutes

Total Annual Burden Hours (EEOC only): 455<sup>2</sup>

Annual Federal Cost: None

Abstract: Under section 717 of title VII and 501 of the Rehabilitation Act, the Commission is charged with reviewing and approving federal agencies' plans to affirmatively address potential discrimination before it occurs. Pursuant to such oversight responsibilities, the Commission has established systems to monitor compliance with title VII and the Rehabilitation Act by requiring federal agencies to evaluate their employment practices through the collection and analysis of data on the race, national origin, sex, and disability status of applicants for both permanent and temporary employment.

While several federal agencies (or components of such agencies) have obtained OMB approval for the use of forms collecting data on the race, national origin, sex, and disability status of applicants, it is not an efficient use of government resources for each federal agency to separately seek OMB approval. Accordingly, to avoid unnecessary duplication of effort and a proliferation of forms, the EEOC seeks approval of a form to be used by federal agencies.

Response by applicants is completely optional. The information obtained will be provided in the form of aggregate data and used by federal agencies only for evaluating whether an agency's recruitment activities are effectively reaching all segments of the relevant labor pool and whether the agency's selection procedures allow all applicants to compete on a level playing field regardless of race, national origin, sex, or disability status. The voluntary responses provided by applicants are treated in a highly confidential manner and play no part in the selection of the individual for employment. The information is not provided to any panel rating the applications, to selecting officials, to anyone who can affect the application or to the public. Rather, the information is used in summary form to determine trends over many selections within a given occupational or organization area. No information from the form is entered into an official personnel file.

The present Notice is for a three-year extension without change to the Commission's existing form for collecting voluntary demographic information from federal applicants. The Commission remains engaged in interagency discussions about equitable data collection, including (a) the Federal Interagency Technical Working Group on Race and Ethnicity Standards convened by OMB; and (b) the Subcommittee on Sexual Orientation, Gender Identity, and Variations in Sex Characteristics convened by the National Science and Technology Council's Subcommittee on

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<sup>1</sup> Each agency is responsible for its own burden estimates.

<sup>2</sup> This total is calculated as follows: 9,092 annual responses from EEOC applicants x 3 minutes per response = 27,276 minutes. 27,276 / 60 = 455 hours each year and approximately 1,364 hours for the three-year period.

Equitable Data. As the work of those groups continues, the Commission may seek authorization from OMB, pursuant to the Paperwork Reduction Act, to amend the race, ethnicity, and/or sex questions on the Demographic Information on Applicants form.

Burden Statement: Because of the predominant use of online application systems, which require only pointing and clicking on the selected responses, and because the form requests only seven questions regarding basic information, the EEOC estimates that an applicant can complete the form in approximately 3 minutes or less. Based on past experience, we expect that 9,092 applicants will choose to complete the form for vacancies at the EEOC annually.

Upon approval of this common form by OMB, federal agencies may request OMB approval to use this common form without having to publish notices and request public comments for 60 and 30 days. Each agency must account for the burden associated with their use of the common form.<sup>3</sup>

For the Commission.

Dated: June 5, 2023.

**Charlotte A. Burrows,**  
*Chair, Equal Employment Opportunity Commission.*

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<sup>3</sup> “Frequently Asked Questions about ROCIS’s New Common Forms Module” provides further information about common forms and can be found by searching [www.whitehouse.gov](http://www.whitehouse.gov).

**DEMOGRAPHIC INFORMATION ON APPLICANTS****OMB No.:****Expiration Date:****Vacancy Announcement No.:****Position Title:****YOUR PRIVACY IS PROTECTED**

This information is used to determine if our equal employment opportunity efforts are reaching all segments of the population, consistent with Federal equal employment opportunity laws. Responses to these questions are voluntary. Your responses will not be shown to the panel rating the applications, to the official selecting an applicant for a position, or to anyone else who can affect your application. This form will not be placed in your Personnel file nor will it be provided to your supervisors in your employing office should you be hired. The aggregate information collected through this form will be kept private to the extent permitted by law. See the Privacy Act Statement below for more information.

Completion of this form is voluntary. No individual personnel selections are made based on this information. There will be no impact on your application if you choose not to answer any of these questions.

Thank you for helping us to provide better service.

**1. How did you learn about this position? (Check One):**

- ☐ Agency Internet Site recruitment
- ☐ Private Employment Web Site
- ☐ Other Internet Site
- ☐ Job Fair
- ☐ Newspaper or magazine
- ☐ Agency or other Federal government on campus
- ☐ School or college counselor or other official
- ☐ Friend or relative working for this agency
- ☐ Private Employment Office
- ☐ Agency Human Resources Department (bulletin board or other announcement)
- ☐ Federal, State, or Local Job Information Center
- ☐ Other

**2. Sex (Check One):**

- ☐ **Male**
- ☐ **Female**

**3. Ethnicity (Check One):**

- ☐ **Hispanic or Latino** - a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.
- ☐ **Not Hispanic or Latino**

**4. Race (Check all that apply):**

- ☐ **American Indian or Alaska Native** - a person having origins in any of the original peoples of North or South America (including Central America), and who maintains tribal affiliation or community attachment.
- ☐ **Asian** - a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, or Vietnam.
- ☐ **Black or African American** - a person having origins in any of the black racial groups of Africa.
- ☐ **Native Hawaiian or Other Pacific Islander** - a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific islands.
- ☐ **White** - a person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

**5. Disability/Serious Health Condition**

The next questions address disability and serious health conditions. Your responses will ensure that our outreach and recruitment policies are reaching a wide range of individuals with physical or mental conditions. Consider your answers without the use of medication and aids (except eyeglasses) or the help of another person.

**A. Do you have any of the following? Check all boxes that apply to you:**

- ☐ **Deaf or serious difficulty hearing**
- ☐ **Blind or serious difficulty seeing even when wearing glasses**
- ☐ **Missing an arm, leg, hand, or foot**
- ☐ **Paralysis: Partial or complete paralysis (any cause)**
- ☐ **Significant Disfigurement: for example, severe disfigurements caused by burns, wounds, accidents, or congenital disorders**
- ☐ **Significant Mobility Impairment: for example, uses a wheelchair, scooter, walker or uses a leg brace to walk**
- ☐ **Significant Psychiatric Disorder: for example, bipolar disorder, schizophrenia, PTSD, or major depression**
- ☐ **Intellectual Disability (formerly described as mental retardation)**
- ☐ **Developmental Disability: for example, cerebral palsy or autism spectrum disorder**
- ☐ **Traumatic Brain Injury**
- ☐ **Dwarfism**
- ☐ **Epilepsy or other seizure disorder**
- ☐ **Other disability or serious health condition: for example, diabetes, cancer, cardiovascular disease, anxiety disorder, or HIV infection; a learning disability, a speech impairment, or a hearing impairment**

If you did not select one of the options above, please indicate whether.

- ☐ **None of the conditions listed above apply to me.**
- ☐ **I do not wish to answer questions regarding disability/health conditions.**

If you have indicated that you have one of the above conditions, you may be eligible to apply under Schedule A Hiring Authority. For more information, please see <http://www.opm.gov/policy-data-oversight/disability-employment/hiring/#url=Schedule-A-Hiring-Authority> .

If an applicant checks the box for “other disability or serious health condition,” the applicant will be taken to Section A.1.

#### A.1. Other Disability or Serious Health Condition (Optional)

You indicated that you have a disability or a serious health condition. If you are willing, please select any of the conditions listed below that apply to you. As explained above, your responses will not be shown to the panel rating the applications, to the selecting official, or to anyone else who can affect your application. All responses will remain private to the extent permitted by law. See the Privacy Act Statement below for more information.

Please check all that apply:

- ☐ I do not wish to specify any condition.
- ☐ Alcoholism
- ☐ Cancer
- ☐ Cardiovascular or heart disease
- ☐ Crohn’s disease, irritable bowel syndrome, or other gastrointestinal impairment
- ☐ Depression, anxiety disorder, or other psychological disorder
- ☐ Diabetes or other metabolic disease
- ☐ Difficulty seeing even when wearing glasses
- ☐ Hearing impairment
- ☐ History of drug addiction (but not currently using illegal drugs)
- ☐ HIV Infection/AIDS or other immune disorder
- ☐ Kidney dysfunction: for example, requires dialysis
- ☐ Learning disabilities or ADHD
- ☐ Liver disease: for example, hepatitis or cirrhosis
- ☐ Lupus, fibromyalgia, rheumatoid arthritis, or other autoimmune disorder
- ☐ Morbid obesity
- ☐ Nervous system disorder: for example, migraine headaches, Parkinson’s disease, or multiple sclerosis
- ☐ Non-paralytic orthopedic impairments: for example, chronic pain, stiffness, weakness in bones or joints, or some loss of ability to use parts of the body
- ☐ Orthopedic impairments or osteo-arthritis
- ☐ Pulmonary or respiratory impairment: for example, asthma, chronic bronchitis, or TB
- ☐ Sickle cell anemia, hemophilia, or other blood disease
- ☐ Speech impairment
- ☐ Spinal abnormalities: for example, spina bifida or scoliosis
- ☐ Thyroid dysfunction or other endocrine disorder
- ☐ Other. Please identify the disability/health condition, if willing: \_\_\_\_\_

#### PRIVACY ACT AND PAPERWORK REDUCTION ACT STATEMENTS

**Privacy Act Statement:** This Privacy Act Statement is provided pursuant to 5 U.S.C. 552a (commonly known as the Privacy Act of 1974). The authority for this form is 5 U.S.C. 7201, which provides that the Office of Personnel Management shall implement a minority recruitment program, by the Uniform Guidelines on Employee Selection Procedures, 29 C.F.R. Part 1607.4, which requires collection of demographic data to determine if a selection procedure has an unlawful disparate impact, and by Section 501 of the Rehabilitation Act of 1973, which requires federal agencies to prepare affirmative action plans for the hiring and advancement of people with disabilities. Data relating to an individual applicant are not provided to selecting officials. This form will be seen by Human Resource personnel in the Office of Personnel Management (who are not involved in considering an applicant for a particular job) and by Equal Employment Opportunity Commission officials who will receive aggregate, non-identifiable data from the Office of Personnel Management derived from this form.

**Purpose and Routine Uses:** The aggregate, non-identifiable information summarizing all applicants for a position will be used by the Office of Personnel Management and by the Equal Employment Opportunity Commission to determine if the executive branch of the Federal Government is effectively recruiting and selecting individuals from all segments of the population. **Effects of Nondisclosure:** Providing this information is voluntary. No individual personnel selections are made based on this information. There will be no impact on your application if you choose not to answer any of these questions.

**Paperwork Reduction Act Statement:** The Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et. seq.) requires us to inform you that this information is being collected for planning and assessing affirmative employment program initiatives.



Response to this request is voluntary. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number. The estimated burden of completing this form is five (5) minutes per response, including the time for reviewing instructions. Direct comments regarding the burden estimate or any other aspect of this form to [INSERT: Agency name and address] and to the Office of Management Budget, Office of Information and Regulatory Affairs, Washington, DC 20503.

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